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P.9/10

Appl. No. 11/031,039

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REMARKS/ARGUMENTS

In the Office Action, claims 1 to 8 and 10 to 23 were rejected under 35 U.S.C. 102(b) or 103(a).

The Examiner is thanked for the indication on page 10 of the Office Action that claim 9 was objected to, but would be allowable if rewritten in independent form including all of the limitations of its base claim and any intervening claims.

In the preceding listing of claims, claim 1 has been amended to incorporate the features recited in original claims 2 and 9. Since claim 9 depended from the base claim 1 and intervening claim 2, claim 1 as amended represents claim 9 re-written in independent form. Therefore, in accordance with the indication provided on page 10 of the Office Action, it is believed that claim 1 as amended is allowable.

Claims 2 and 9 have been cancelled, since the features recited in those claims have now been incorporated into amended independent claim 1.

Claims 3 to 8 and 10 to 15 now depend from the allowable base claim 1, and therefore are also believed to be allowable. Only amendments to dependencies and minor clarifying amendments, as shown in the preceding listing of claims, have been made to these claims.

Rejected claims 16 to 23 have been cancelled.

Thus, all of the claims remaining in this application relate to subject matter that the Office Action indicates is allowable. Amended independent claim 1 corresponds to objected original claim 9 re-written in independent form, which the Office Action indicates would be allowable, and claims 2 to 8 and 10 to 15 depend either directly or indirectly from allowable claim 1.

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Reconsideration and withdrawal of the rejections under 35 U.S.C. 102 and 103 are respectfully requested.

Regarding the rejection of original claim 12 under 35 U.S.C. 112, and specifically the phrase "high numerical-aperture", claim 12 has been amended to delete this phrase. Although it is believed that a person skilled in the art would readily understand what is meant by high numerical-aperture optics, claim 12 has been amended to advance the examination of this application.


It should also be appreciated that the other claim amendments reflected in the preceding listing of claims should not be interpreted as any form of admission that the original claims are not patentable over the cited references, or an acquiescence to any of the rejections made in the Office Action. The claims have been amended solely to advance the examination of the present application.

In view of the foregoing, it is respectfully submitted that all of the claims remaining in this application are allowable, and that early and favourable consideration of the application are in order.

Respectfully submitted,

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Date: May 4, 2007

DMW/wfs